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January 21, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Re: CC Docket No. 96-115 (CPNI)
Ex Parte Presentation

Dear Ms. Salas:

On behalf of the Rural Cellular Association (RCA), we are submitting an original and one (1) copy of this letter to inform the Commission that on January 20, 1999, RCA representatives Jackie N. Dukes, Scott Parker, John McMillan, Marci Greenstein and Thomas Smith met with the following Commission staff members to discuss RCA's position on the issues raised in this proceeding, which are a matter of record before the Commission:

The FCC's Customer Proprietary Network Information (CPNI) Group which included Bill Agee, Peter Wolf, Margaret Egler, Eric Einhorn and Anthony Mastando;

Mr. Steve Weingarten, Chief, Commercial Wireless Division;

Commissioner Susan Ness and Mr. Dan Connors; and

Ms. Karen Gulick of Commissioner Gloria Tristani's office.

In accordance with the ex parte rules, attached is a copy of the material provided to Commission participants during the meeting which summarizes RCA's position and presentation.

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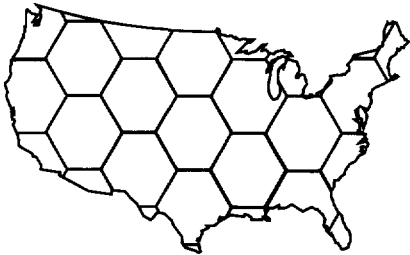
Should there be any questions concerning this matter, please contact this office.

Very truly yours,


Sylvia Lesse

SL/cvh
Attachments

cc (w/o attachments): Bill Agee, Peter Wolf, Margaret Egler, Eric Einhorn, and Anthony Mastando (FCC's CPNI Group)
Steve Weingarten (Chief, Commercial Wireless Division)
Commissioner Susan Ness and Dan Connors
Karen Gulick (Commissioner Tristani)



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CUSTOMER PROPRIETARY NETWORK INFORMATION ("CPNI")

As part of the Telecommunications Act of 1996, Congress directed the Federal Communications Commission to establish Customer Proprietary Network Information ("CPNI") rules to protect telecommunications customers' privacy needs, while at the same time fostering competition for telecommunications services.

The Commission's CPNI rules do not balance consumer privacy and the interest in promoting a robust, competitive telecommunications industry. Instead, the CPNI rules impose costly record-keeping burdens and also prohibit carriers from communicating information to customers that customers need and expect to make informed choices about telecommunications services. The rules impose unnecessary and illogical burdens on small and rural wireless carriers that, in effect, deny them the opportunity to market their services and stay competitive. The most problematic provisions:

Require carriers to use software to track customers' CPNI approval status (Section 64.2009(a) - "flagging")

Require electronic audits to track access to customers' accounts (Section 64.2009(c) - "electronic auditing")

Restrict carriers' use of CPNI to market mobile handsets to existing cellular customers (Section 64.2005(b)(1)); and

Prohibit a cellular carrier from using CPNI without prior customer approval to "win back" customers (Section 64.2005(b)(3)).

RCA POSITION

RCA has joined a broad industry coalition in support of revisions to the Commission's CPNI rules to address the "flagging" and "electronic auditing" concerns and meet Congressional and FCC objectives to protect consumer privacy without imposing extraordinary and unnecessary burdens on small and rural wireless carriers. RCA also maintains that the Commission's rules deprive consumers of information which would promote competition without any corresponding benefit to consumer privacy.

RCA is an association representing the interests of small and rural wireless licensees providing commercial services to subscribers throughout the nation. Its member companies provide service to predominantly rural areas where more than 6 million people reside. RCA was formed in 1993 to address the issues facing rural cellular service providers, including PCS carriers.